

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
September 14, 2021
7:10 p.m.

Minutes

NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, Becky Patel, and Gary Feder.

Mayor Harris
City Manager Gipson
City Attorney O'Keefe

Motion made by Alderman McAndrew to approve the August 24, 2021 minutes. Alderman Berkowitz seconded.

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER SETTING THE TAX YEAR 2021 PROPERTY TAX LEVIES FOR FISCAL YEAR 2022 BUDGET - 1ST READING

Mayor Harris opened the public hearing and requested proof of publication.

Janet Watson, Director of Finance and Administration, reported that each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2021 was a reassessment year and there were significant changes in assessed values. The City experienced new construction growth in residential and commercial, increasing assessed values although not as much as in past years. Subject to the maximum voter-approved rate of tax levy, the City is permitted to receive additional revenue up to the Consumer Price Index (CPI) which was 1.4% for this year, and for the value of the new construction. Per the Fiscal Year 2022 proposed budget plan, we are submitting the maximum allowable rates for your review.

As part of the property tax levy process, the Board is holding a public hearing tonight to seek public input on the proposed tax rates. Prepared and provided in the Board's packet is the proposed calendar year 2021 property tax levy recommendations for Budget Year 2022.

Mayor Harris commented that because of the laws in the State of Missouri it is designed to keep revenues the same as last year without growth and add only what the state legislator deems is the appropriate Consumer price Index (CPI). In the current environment the City will capture about 1.4% of the current growth, therefore the city is "rolling back" and reducing its tax rate in a time when clearly the expenses will increase due to inflation.

Janet Watson added that the calculation of the assessment changes growth and cost-of-living results in annual recalculated tax rate ceilings for various rate categories. The ceiling can only be at or below the voter approved maximum authorized levy for each rate. The 2021 ceiling did increase some of the levies – General Fund Commercial levy increased .002 cents; the General Obligation Debt Services Residential, Commercial, and Personal Property increased by .003 cents and the Special Business District Residential, and Commercial increased by .001 cents.

Mayor Harris closed the public hearing.

Alderman Lintz introduced Bill No. 6859, to approve an ordinance setting the annual property tax rates for calendar year 2021 (Fiscal Year 2022) to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6859, first reading, an Ordinance Levying and Establishing the Rate of Annual Taxes for General Municipal Purposes; Police Building Debt Service; General Obligation Debt Service; and Special Business District Purposes to be Collected by the City of Clayton, Missouri, for the Year 2021 by title only.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING THE PROPOSED FISCAL YEAR 2022 OPERATING AND CAPITAL IMPROVEMENTS BUDGET – 1ST READING

Mayor Harris opened the public hearing and requested proof of publication.

Janet Watson reported that in July, the Board of Aldermen received the City Manager's proposed Fiscal Year 2022 Operating and Capital Improvements Budget. As part of the budget process, the Board is required to hold a public hearing to seek public input prior to formal budget adoption. The public hearing will occur at the Board of Aldermen meeting on September 14, 2021.

The Board reviewed the proposed budget during a public meeting on August 20, 2021 and no changes were made to the budget submitted.

The proposed budget maintains the current service levels traditionally provided by the City. The Board of Aldermen has studied the proposed budget and the public has had opportunity for reviewing the budget document. The ordinance approving the Fiscal Year 2022 Operating and Capital Improvements Budget is presented for first reading.

City Manager Gipson provided a PowerPoint presentation (available in the City Clerk's office).

Mayor Harris closed the public hearing.

Alderman Lintz introduced Bill No. 6860, to approve the Fiscal Year 2022 Operating and Capital Improvements Budget to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6860, first reading, an Ordinance Adopting an Annual Budget for Fiscal Year 2022 Commencing on October 1, 2021, and Appropriating Funds Pursuant Thereto by title only.

The motion passed unanimously on a voice vote.

7:58 p.m. Alderman Lintz excused himself from the meeting.

AN ORDINANCE TO CONSIDER APPROVING A RIGHT OF WAY VACATION FOR 7827 DAVIS DRIVE

City Manager David Gipson reported that this is an ordinance to consider a request for a right-of-way vacation to vacate property which is located south of 7827 Davis Drive (Lot 17 of the Davis Place Subdivision) and is a strip of undeveloped and unused right-of-way.

Alderman McAndrew noted that Mr. Guignon, applicant, was in attendance (as an attendee virtually).

Alderman Berkowitz introduced Bill No. 6861, to approve a right-of-way vacation to vacate property located south of 7827 Davis Drive (Lot 17 of the Davis Place Subdivision) to be read for the first time by title only. Alderman McAndrew seconded.

City Attorney O’Keefe reads Bill No. 6861, first reading, an Ordinance Vacating Certain Right-Of-Way Which Was Previously Dedicated to the City of Clayton and Is Not Necessary for Right-Of-Way or Used for Travel by the Public by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 6861 on the day of its introduction. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

Alderman Berkowitz introduced Bill No. 6861, to approve a right-of-way vacation to vacate property located south of 7827 Davis Drive (Lot 17 of the Davis Place Subdivision) to be read for the second time by title only. Alderman McAndrew seconded.

City Attorney O’Keefe reads Bill No. 6861, second reading, an Ordinance Vacating Certain Right-Of-Way Which Was Previously Dedicated to the City of Clayton and Is Not Necessary for Right-Of-Way or Used for Travel by the Public by title only.

The motion passed on a roll call vote: Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor

Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6718 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING GILMORE & BELL AS BOND COUNSEL FOR THE 2021 SPECIAL OBLIGATION BOND ISSUES AND A FUTURE GENERAL OBLIGATION BOND ISSUE

City Manager Gipson reported that Gilmore Bell has provided excellent bond counsel services to the City of Clayton related to the issuance of bonds and other specialized services for the past several years. The City is again in need of services related to two upcoming bond issues which are the refunding of the 2011 Special Obligation Bonds and the 2014 General Obligation Bonds. Both issues will be refunding (refinancing) current outstanding bonds that are reaching their first call date. All bond sales will be competitively bid in compliance with the City Charter.

Mark Grimm, Gilmore & Bell, was in attendance (virtually) to answer questions.

Alderman Berkowitz introduced Bill No. 6862, to approve an ordinance engaging Gilmore Bell as bond counsel for the refunding of the 2011 Special Obligation Bonds and the 2014 General Obligation Bonds to be read for the first time by title only. Alderman McAndrew seconded.

City Attorney O’Keefe reads Bill No. 6862, first reading, an Ordinance Designating Gilmore Bell as Bond Counsel for the City of Clayton, Missouri, for a Refunding of the 2011 Special Obligation Bonds and a Refunding of the 2014 General Obligation Bond Issues and Establishing Terms and Conditions for Such Services by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 6862 on the day of its introduction. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

Alderman Berkowitz introduced Bill No. 6862, to approve an ordinance engaging Gilmore Bell as bond counsel for the refunding of the 2011 Special Obligation Bonds and the 2014 General Obligation Bonds to be read for the second time by title only. Alderman McAndrew seconded.

City Attorney O’Keefe reads Bill No. 6862, second reading, an Ordinance Designating Gilmore Bell as Bond Counsel for the City of Clayton, Missouri, for a Refunding of the 2011 Special Obligation Bonds and a Refunding of the 2014 General Obligation Bond Issues and Establishing Terms and Conditions for Such Services by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6719 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING PIPER SANDLER AS FINANCIAL ADVISOR FOR THE 2021 SPECIAL OBLIGATION REFUNDING BONDS AND A FUTURE GENERAL OBLIGATION BOND ISSUE

City Manager Gipson reported that in 2019, the City entered into an agreement with Piper Jaffray, now Piper Sandler, for municipal financial advisory services. The City is again in need of services related to two upcoming bond issues which are the 2011 Special Obligation Bonds refunding (refinancing) and the 2014 General Obligation Bonds refunding. These bond issues will occur over the next few months and the City and citizens should realize significant interest savings over the remaining life of the bonds.

Todd Goffoy, Piper Sandler, was in attendance (virtually) to answer questions.

Alderman Berkowitz introduced Bill No. 6863, to approve an ordinance designating Piper Sandler as the City's financial advisor for the 2011 Special Obligation Bonds refunding and the 2014 General Obligation Bonds refunding to be read for the first time by title only. Alderman McAndrew seconded.

City Attorney O'Keefe reads Bill No. 6863, first reading, an Ordinance Designating Piper Sandler as Financial Advisor for the City of Clayton, Missouri, for a Refunding of the 2011 Special Obligation Bonds and a Refunding of the 2014 General Obligation Bonds and Establishing Terms and Conditions for Such Services by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 6863 on the day of its introduction. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

Alderman Berkowitz introduced Bill No. 6863, to approve an ordinance designating Piper Sandler as the City's financial advisor for the 2011 Special Obligation Bonds refunding and the 2014 General Obligation Bonds refunding to be read for the seconded time by title only. Alderman McAndrew seconded.

City Attorney O'Keefe reads Bill No. 6863, seconded reading, an Ordinance Designating Piper Sandler as Financial Advisor for the City of Clayton, Missouri, for a Refunding of the 2011 Special Obligation Bonds and a Refunding of the 2014 General Obligation Bonds and Establishing Terms and Conditions for Such Services by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6720 of the City of Clayton.

A RESOLUTION TO CONSIDER AUTHORIZING THE OFFERING FOR SALE OF SPECIAL OBLIGATION REFUNDING BONDS

City Manager Gipson reported that the City will be issuing bonds for the purpose of refunding, similar to refinancing, an outstanding bond issue where the City can experience savings over

the lifetime of the bonds. The total estimated funds needed from the sale of the bonds to be issued is approximately \$5,600,000.

Motion made by Alderman Berkowitz to approve Resolution No. 2021-15, authorizing the sale of \$5,600,000 in bonds to refund the Series 2011 bonds. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

A RESOLUTION TO CONSIDER APPROVING THE FY2022 CLAYTON RECREATION, SPORTS AND WELLNESS COMMISSION (CRSWC) BUDGET FOR THE CENTER OF CLAYTON

City Manager Gipson reported that this is a resolution to approve the proposed Fiscal Year 2022 Clayton Recreation, Sports and Wellness Commission (CRSWC) Budget for the Center of Clayton. This budget includes revenues and expenses for the period October 1, 2021, through September 30, 2022, for the three CRSWC Funds --- Operating, Equipment Replacement and Capital. The Clayton Recreation, Sports and Wellness Commission considered this budget on August 20, 2021, and approved it as proposed. On September 1, 2021, the budget was presented at the Joint Meeting of the Board of Aldermen and Board of Education.

Patty DeForrest, Director of Parks & Recreation, addressed the Board to answer questions.

Motion made by Alderman Berkowitz to consider Resolution No. 2021-16, approving the FY2022 CRSWC Budget Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

A MOTION TO CONSIDER APPROVING THE ALDERMANIC COMMITTEE ASSIGNMENTS

City Manager Gipson reported that to be consistent with the *Charter* requirements all appointments/assignments to the Boards and Commissions requires approval by the Board of Aldermen. Mayor Harris has proposed that Alderman Gary Feder is assigned to the Clayton Equity Commission, the Economic Development Advisory Committee, and the Non-Uniformed Employees Retirement Fund Board.

Motion made by Alderman Berkowitz to approve the appointment of Alderman Gary Feder to the Clayton Equity Commission, the Economic Development Advisory Committee, and the Non-Uniformed Employees Retirement Fund Board. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

A MOTION TO CONSIDER APPROVING AN APPOINTMENT TO THE BOARDS AND COMMISSIONS

City Manager Gipson reported that Mayor Harris has reviewed a recommendation to appoint Peter Love, Ward 3 (appointment for a 6-yr term through June 30, 2027), the Industrial Development Authority of the City.

Motion made by Alderman Berkowitz to approve the appointment of Peter Love to the Industrial Development Authority. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Berkowitz reported on the following:

- Plan Commission/ARB
- Ward 2 resident – issue with parking spot
- Art Fair – great event!

Alderman McAndrew reported on the following:

- Parks & Recreation –
 - Parks & Recreation Master Plan
 - PD - Community survey

Alderman Buse reported on the following:

- Parks & Recreation
- Art Fair

Alderman Patel reported on the following:

- Art Fair

Alderman Feder reported on the following:

- 911 ceremony
- Art Fair

Mayor Harris reported on the following:

- Art Fair – Mayor's Innovative Artist Award – winner is a former officer turned artist from Ann Arbor, Michigan.

City Manager Gipson reminded the Board about the BOA/Staff retreat scheduled for September 21-22; Announced that Janet Watson will be retiring in October – preparing an organizational restructure.

There being no further business the meeting adjourned at 9:04 p.m.

Mayor

ATTEST:

City Clerk